The Los Angeles Bar Association

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Members' Monthly Meetings Resumed

LOS ANGELES BAR ASSOCIATION resumes its monthly dinner meetings, after the summer vacation, Thursday evening, October 29th, 1936, at the University Club. This has been designated "A Night of Appreciation" for members of our own association who have performed outstanding service for the legal profession and who have thereby brought honor to our association.

The last meeting of the American Bar Association at Boston is now history, but it is agreed that the greatest advance in aggressive bar association endeavor is the new plan of representation in the American Bar Association established and developed by the Special Committee on Coordination of the Bar, of which Jefferson P. Chandler, of this city, was chairman.

Judge Ransom, retiring President of American Bar Association writes to Mr. Chandler in part as follows:

> "To few members has been given the privilege of rendering such faithful and effective service to the Bar as you have done. The vote in Boston was your victory. You have been the leader and balance wheel in keeping the Coordination movement straight for many years. I am happy that you were given such a flattering vote in the Assembly and that you will be a member of the house of delegates. You should be a member for life."

We of Los Angeles Bar Association can not fail to appreciate the outstanding service rendered by our own member, the honor that has come to him, and to shine in his reflected glory.

New State Bar President

Alfred L. Bartlett, another outstanding member of our association has deservedly attained the office of President of the State Bar of California, elected at the last convention at Coronado. His work as a member of the Board of Governors and as Chairman of the Committee of Bar Examiners is too well known to require comment. His elevation to his high office brings prideful credit to the association.

Paul Vallee, of Los Angeles and Newton M. Todd of Long Beach, both members of our association, are newly elected members of the Board of Governors of the State Bar.

Julius V. Patrosso of Los Angeles, who was chairman of the Los Angeles delegation to the last State Bar Convention, has long and consistently labored for the advancement of the legal profession and in so doing has kept the Los Angeles Bar Association in the forefront of aggressive, voluntary leadership among the Bar Associations of the country. The work done at the last convention at Coronado was heavier by fifty percent than that accomplished at any previous convention. The Los Angeles delegation was outstanding in its activities and strength at the convention.

Let us do honor to the "prophets within our own country," and appreciate at our next meeting these members of our association who have performed such outstanding service for us, and who have brought our association so much honor.

The place is the University Club in this city, and the time, Thursday evening, October 29, 1936, at 6:30 P. M. A good dinner is promised, musical entertainment and good fellowship. Members with their ladies and guests are cordially urged to attend. The program committee promises an outstanding evening.

R. H.

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Nathaniel Parrish Conrey

An Illustrious Judge

NEWSPAPERS recently carried an item to the effect that the Hon. Nathaniel P. Conrey would not, at the November polls, seek election to the Supreme Court of California, of which he is now a member. This announcement deserves more than passing comment, for the retirement of Justice Conrey will be a major loss to the California judiciary.

"Judicial temperament" is a term that should be carefully used, for it denotes a rare and precious quality found in the ideal judge and it is a term which can be applied to Justice Conrey with all of its commendable connotations.

For during his long career there has never been, in regard to Justice Conrey, the least suggestion of bias but, on the contrary, there is a recognition of his zeal for justice and for dispensing justice. To this he has given his whole soul.

Fortunately, this zeal has been accompanied until very recently by abounding energy and excellent health. During a long and honorable career of thirty-five years upon the bench in California, Judge Conrey has lost but one day on account of illness. But of late he has had an experience of ill health that is especially hard for one habitually well and strong, which has led him to decline to be a candidate at the coming election.

The California Reports and California Appellate Reports record many decisions by this distinguished jurist that will be a guide to future generations of lawyers and judges. His opinions display a wealth of legal wisdom, profound scholarship, and knowledge of the deepest things of the spirit.

Judge Conrey served as City Attorney of Pasadena from 1886 to 1887, was a member of the Board of Education of the City of Los Angeles from 1897 to 1898, a member of the Assembly of the State of California from the 75th District from 1899 to 1900, and President of the Board of Trustees of State Normal School of Los Angeles from 1899 to 1900. He was a Judge of the Superior Court of Los Angeles County from December, 1900, to October, 1913; Presiding Justice of the District Court of Appeal of the Second Appellate District from October, 1913, to September, 1935, and a Justice of the Supreme Court of the State of California from September, 1935, to the present time.

The Los Angeles Bar Association Bulletin joins with all members of the bench and bar of California in paying tribute to Justice Nathaniel Parrish Conrey, in congratulating him upon his distinguished record upon the bench in this state, and in wishing him a well-earned rest after his retirement from the bench.

Experienced Lawyer Service Recommended

THE Special Committee recently appointed by President Lyman to consider a proposed "Experienced Lawyer Service," has submitted the following report to the Board of Trustees:

The majority of your Committee for the study of a proposed "Experienced Lawyer Service" report as follows:

We feel that we owe it to the members of our Association and to the public to establish this service, and that a Committee should be appointed for the purpose of carefully working out a questionnaire and administering the plan hereinafter outlined; that this service should be made self-supporting and, to that end, a charge of $1.00 for a single registration should be made with an added charge of 50¢ for each additional specialty listed.

The Board should reserve the right at any time to reject or remove the name of any lawyer proposed or already listed and this should apply to the list generally or to a particular specialty. The names should be given out only upon request, and then only in writing, with an explanation to the effect that the names furnished are those of lawyers who, through questionnaires on file, have indicated special attention to the named branch of the practice; that the furnishing of the names does not constitute a recommendation of any individual or a guarantee that his services will be satisfactory,—the language covering this to be carefully worked out.

Prerequisites

The list should be run on an annual basis and the lawyers advised that additions during the course of the year will not be made; that payment of dues in advance, as well as advance payment of the charge for listing, should be made a prerequisite to the listing.

On specialties where there are only ten or twelve lawyers listed (as would propably be the case with patent law, income tax law, etc.), it might be advisable to furnish the entire list upon each inquiry. Where the list is considerably longer, a rotation of names would probably be advisable.

Listings could be kept in the Association's office by card index system. These cards might be so arranged that they would be filled out by the lawyer with the required data, and thus require only sorting and filing in the Association office, thus avoiding the necessity of copying from an extended questionnaire onto the filing cards.

Each questionnaire should, among other things, require three lawyer references to whom inquiry could be made concerning an applicant who is unknown to the Trustees or to the Committee which might be appointed for the purpose of approving the applicants and revising the list from time to time. Each applicant should also be required to state his number of years of practice and his office association.

An earnest effort should be made to have a large number of lawyers register their names.

VISCERAL STAMINA

We fully appreciate the fact that the labors of the Committee appointed for the purpose of preparing the questionnaire, passing upon the acceptability of applicants, and revising the list from time to time as the occasion arises, would be arduous and that the latter phase of the activity would likewise call for a large amount of visceral stamina; but we feel confident that such a Committee could be created and that the plan would ultimately render a distinct service to the public as well as to members of the profession desiring the aid of specialists.

The suggested Committee should, of course, be large enough to include members of various specialties and arrangements be made for the appointment of additional or sub-committees from time to time to pass upon lists in highly specialized branches of the practice.

Respectfully submitted,

FRANK B. BELCHER.
G. W. ASHBURN,
Chairman.

The President has appointed the following committee on the above matter: Roy V. Rhodes, chairman; Frank L. A. Graham, Frank C. Weller, Arthur L. Syvertson, Harold Kiggens.

State Bar Convention at Coronado

FROM the standpoint of important work accomplished, the Ninth Annual State Bar Convention, September 29 to October 3, at Coronado, was outstanding. The attendance was not as large as some of the conventions in the past.

The Conference of Bar Delegates was most successful, probably because the delegations from the large bar associations had thoroughly considered the many amendments to the codes, resolutions and other proposals, long before the conference met, thus being able to act upon them intelligently and with a minimum of debate. Los Angeles and San Francisco delegations were, of course, the largest, and there was a notable spirit of harmony and cooperation among them in the support of many measures.

The Conference was ably presided over by Florence M. McAuliffe, of San Francisco, whose cordial and tolerant attitude was the subject of much favorable expression among the delegates. While the great bulk of work done by the Conference originated either in the Bar Associations of San Francisco or Los Angeles, nevertheless, various other smaller associations and some individuals presented matters for consideration. For example, the Mendocino County Bar Association, represented by James E. Pemberton, presented a resolution providing for the appointment of a committee to consider the advisability of amending the State Bar Act—

(a) So as to constitute the annual meeting of the State Bar a representative body of delegates selected proportionately by the members of the State Bar in the several counties, and

(b) To provide that the acts of the delegates shall have something more than a recommendatory effect upon the Board of Bar Governors.

This proposition was actively debated and carried because of the feeling that the convention as now constituted was largely of the "town hall meeting" variety, and that an effort should be made to bring the administration of the State Bar into accord with the progressive plan adopted at the last meeting of the American Bar Association at Boston, where the established bar associations were in control. The adoption of the Mendocino plan would mean that the convention would pass upon well-considered and well-debated programs of interest to the legal profession and the opportunity for "flashy" measures taking up the time of the convention would be minimized.

The proposal of the Lake County Bar Association which would require all members of the State Bar belong to and be subject to the rules and regulations of local County Bar Association was rejected.

Legislation

A great mass of new legislation to be suggested to the next Legislature was worked through and a full report of the action taken by the conference and by the convention will appear in the official report of the convention. Reports of various standing and special committees were presented and passed upon.

Perhaps the outstanding accomplishment at the Coronado session was the cooperation attained between the Bar Associations of Los Angeles and San Francisco and the Lawyers Club of Los Angeles. Heretofore it has seemed that what one organization wanted the others would oppose, and vice versa. This time a happy coordination, with tolerance for the desires of all groups was accomplished, thus enabling the completion of a tremendous amount of work. This is especially recognized when it is remembered that Chairman McAuliffe of the Conference of Bar Delegates appointed Lawrence Livingston of the San Francisco Bar Association and Rex Hardy of the Los Angeles Bar Association as the steering committee to present and defend the work of the Conference on the floor of the convention.

The convention went into formal session on Wednesday morning, September 30th, and closed Saturday noon, October 3, 1936.

The new Board of Governors was present, including Paul Vallee and Newton Todd, both members of the Los Angeles Bar Association.

Unanimous pleasure was expressed at the election of Alfred L. Bartlett of the Los Angeles Bar Association as the new President of the State Bar.

The Coronado hotel is to be commended for its care of and arrangement for the comfort and pleasure of the lawyers present, and it is certain that the Ninth Convention of the State Bar of California will go down in history as one filled with accomplishment, cooperation and pleasure.

Lowering the Lawyer's Income

By F. G. T.

THE great desideratum of most lawyers is a lucrative practice. A few have it, but for the many, there have been and are forces at work that tend to lower the income of the Bar. In all occupations, income should meet the requirements of the American standard of living,—not bare subsistence, but a reasonable margin for thrift. In common with all other professions, the lawyer's income must first, take care of his overhead, office rent, library upkeep, clerical hire, etc. That client blunders, who haggles with his attorney over his fee. He may succeed in making an agreement for a fee so low that as the cause progresses, the lawyer discovers that it will not cover his actual cost. This makes the attorney nervous, induces him to hasten proceedings, and slacken attention, because he is losing money. All this may be the result, without conscious intent on the lawyer's part. There are instances where the client raises the fee suggested by the attorney, invariably wise strategy.

Until after the Civil War, probably no lawyer in America received year after year a net income equal to that of the leaders of the bar in Great Britain. Justice Thompson of the U. S. Supreme Court is reported to have said, in 1827, that "six, eight, and ten thousand dollars is considered great practice in New York, and ten thousand dollars the maximum." At the height of his brilliant career, Daniel Webster earned from $12,00 to $20,000. The great increase of wealth in the United States, the rise of the mammoth corporation, and the consequent increase and complexity of regulatory legislation have resulted in greater remuneration to lawyers.

But there are factors working with increasing momentum to the lowering of the lawyer's income. First, competition among lawyers themselves, due to the disproportionate increase of their number. Some of the American colonies limited the number of lawyers in a county, or before a given court, but there is no such limitation in any State. The matter is left to the ancient law of "supply and demand," and the tendency is unmistakably to outrun the demand. One lawyer to every four or five hundred of the population is too many. It is too much to ask any of them to resign and retire, but raising the standard of qualifications for admission will provide more competent lawyers, and measurably check their overproduction.

When the banks took over collections, the lawyers suffered a loss. The rise of great collection agencies further lessened the lawyer's income. The establishment of title companies was a terrific subtraction. Government by commission encroaches steadily on the business of the lawyer. Arbitration makes both courts and lawyers unnecessary. Ambulance chasers and "claim adjusters" are more or less or altogether lawless competitors. The merger of corporations, the establishment of chain stores and banks, and the general tendency of modern business to concentration of power and management, all work to the lessening of employment for the rank and file of the bar, and of course to the lowering of income.

None the less, but rather the more, lawyers are indispensable in the body politic. As Judge Baldwin says, "A land of absolutism and stagnation has no use for lawyers. The institutions of China would not be safe if she had a bar. Lawyers are a conservative force in a free country, an upheaving force under a despotic government."* It is obvious that the times demand lawyers, competent, honest, and patriotic. No other class can fill their place in the community, or render the high service demanded of them.

*The American Judiciary, pp. 346-7.

Junior Conference at Coronado

By Charles E. Sharritt, of the Los Angeles Bar

REPRESENTING all parts of the state, an enthusiastic group of young California lawyers gathered at Coronado the final day of the State Bar convention and observed the first anniversary of the Junior Conference of the State Bar.

Called to order by W. I. Gilbert, Jr., of Los Angeles, the convention first heard a detailed report by the chairman of the activities of the organization during the past year under his guidance. Gilbert was chosen president at the first meeting of the conference last year.

Although the first year was of necessity occupied largely with the work of organizing, much was accomplished in this regard by virtue of the enthusiasm with which the junior bar throughout the state received the organization, Gilbert pointed out.

"Now that we definitely have a cohesive, coordinated group which has passed through its formative period," declared Gilbert, "we can now proceed the coming year to plan a definite program and be of great assistance to the senior bar in carrying out its diversified program."

New Officers

Acting on the recommendations of the nominating committee, the convention unanimously elected the following officers for the coming year: Francis Cross of San Francisco, president; Charles Crail, Jr., Los Angeles, Ben K. Lerer of San Francisco, and William Glenn of San Diego, vice-presidents. The following were elected members of the Executive Council: John F. Turner, San Francisco, First District; H. O. Wallace, Long Beach, Second District; Jack Welch, Sacramento, Third District, and Vincent Whelan, San Diego, Fourth District. Adron Beene of Palo Alto was unanimously elected secretary-treasurer.

Resolutions

The resolution committee, consisting of Lowell Matthay of Los Angeles, and DeWitt Higgs of San Diego reported that two resolutions had been submitted. One, submitted by Harold H. Krowech of Los Angeles, and the adoption of which was recommended by the committee, read as follows:

"Resolved: That the Junior Bar Conference of the State of California endorse and commend the Juvenile Crime Prevention Program of the Junior Barristers of the Los Angeles Bar Association, to the end that the program may also be carried on by other junior bar groups throughout the State of California, thereby creating a state-wide awakened community responsibility on the part of youth towards law observance and respect for our governmental institutions."

The resolution was unanimously adopted after adding the following amendment: "Resolved, that the Junior Bar Conference of the State of California pledge its assistance in the furtherance of the national program." Speakers from the floor also praised Krowech for his active leadership in fostering the juvenile crime prevention movement.

A resolution by Max Gilford of Los Angeles, requesting the conference to recommend to the Board of Governors that it create a committee to study means of cooperating with motion picture producers for the purpose of properly portraying the legal profession, was lost by the narrow margin of two votes.

In support of his resolution, Gilford pointed out that the public is continually given an unfavorable impression of lawyers and the legal profession through the portrayal of unethical attorneys on the screen. Although the resolution failed to be adopted, considerable interest was demonstrated in the discussion.

Name Change Suggested

The question of changing the name of the Junior Bar Conference to some other more suitable designation was raised by Chairman Gilbert, who explained that many members had communicated with him in this regard. Members in smaller communities, in particular, reported that it is often somewhat embarassing to them to be known in their community as members of the junior bar. For the purpose of discussion, Gilbert suggested the name of "Barristers Conference."

After brief discussion, however, the matter was, on motion of Jack Hardy of Los Angeles, referred to the executive council for a report.

Advisability of adopting an advisory minimum fee schedule for younger attorneys was placed before the convention by Chairman Gilbert at the suggestion of the Executive Council. Considerable interest in the suggestion was displayed, it being pointed out by Ralph Wallace of San Diego that in that city such a schedule was adopted four years ago and had proved helpful.

However, after further debate disclosed considerable opposition, the suggestion was tabled, several Los Angeles attorneys declaring that such a fee

schedule would not be feasable because the younger attorneys are not only in competition among themselves but also with the bar in general.

It was also recommended by the Executive Council that appropriate steps be taken toward bringing about a change of designation for notaries public throughout the state. By reason the present title of such officers it is possible for them to encroach upon certain phases of law practice, particularly among persons unfamiliar with the legal profession, it was contended. A suggested change of title was "commissioners of Oath," and S. E. Roll of Los Angeles facetiously suggested the name of "Official Swearers." The matter was finally referred to the Executive Council.

Suggestions, too, that steps be taken towards prohibiting lawyers who are public officials from practicing law privately, and provision for compensation for attorneys appointed by the court to defend persons accused of criminal offenses, were also referred to the Executive Council for report and recommendation.

Judicial Eligibility

Action of the senior group in recommending higher eligibility requirements for judicial office aroused considerable spirited debate. Bates Booth, deputy district attorney of Los Angeles, contended that judicial service should be a career, with the office qualification requirements being graduated according to the court. He suggested that judicial experience in the lower courts be a requirement for occupancy of the higher tribunal benches.

Following lengthy discussion, the convention adopted the following resolution: "Resolved, that the Junior Bar Conference recommend to the Board of Governors of the State Bar of California that the eligibility requirements of length of practice for judges be fixed upon a graduated basis."

Ned Marr, chairman of the Los Angeles Junior Barristers, called attention to the fact that the junior bar had no official spokesman or representative at the deliberations of the State Bar Convention and suggested that at the next annual session such representation be arranged for through a pre-convention caucus.

Acting on a motion by Grant Cooper, the convention adopted a resolution that the president of the state bar be advised that it was the desire of the Junior Bar Conference that he appoint a pre-convention committee of junior members to consider with their elders the matters to be placed before the conference of delegates and the convention.

Following a demonstration of appreciation for the excellent and diligent leadership of President Gilbert, the conference convention adjourned with enthusiastic anticipation of a full and active program the coming year.

Whence Came These Fees?

By a Lawyer Who Wishes to Remain Anonymous

THE "period of starvation" here mentioned for the first and last time, refers not to the regulations of a reducing cult but to the first 16 months of my law practice in a large Western city. I began at age 39, rather late in the 1920's, after a flop-ending business career of sixteen years' duration in the same town. Some of my classmates in law school nine years before had already achieved legal and political honors; but I was starting from scratch to do the thing I had always wanted to do.

My not-so-ritzy space in the city's finest office building was duly opened on September first. I was secretary, file clerk and the counsellor-at-law himself whose name was on the door. For days on end I mailed out announcements, pasted amendments into the Code, and listened expectantly for the telephone. I was a member of a small up-town service club, three fraternal orders, and knew a good many people with whom I had dealt in a business way. Frankly, I expected business by telephone from the first. My children very loyally kept the bell ringing; but calls on professional matters? There weren't any. However, I observed regular office hours, read court calendars and the reported decisions religiously, and kept myself in circulation.

First Client

The first cash-paying client came in twenty-four days after the new venture's commencement. Mrs. Smith (that isn't her name) prudently telephoned for an appointment. I was ostensibly at some trouble to arrange it, but she never knew the virgin character of my appointment book. Mrs. Smith was an old family friend, who, it later developed, had the cautious and praiseworthy habit of retaining two lawyers at once, using one to check up on the other. I was unwittingly counsel number two at this stage; but I felt like number one when she paid me $3.00, my first fee.

Later the same afternoon, a friend whom I had known in business days brought in an attachment to be levied. And so, after three weeks "and a little bit" (by your leave, Major Bowes!) I was at last filing a complaint.

This is not intended to be an autobiographical narrative. Sufficient foundation has now been laid, I think, for a statement of the question that early began to shape itself in my mind: "Whence came these fees?"

I have always determined the reference point of new business; and a careful analysis was undertaken as to each year of the first five, to classify the sources of the goodwill actuating each client entrusting me with his problem.

Contacts

As to 1972, that truncated four-month fiscal year, the goodwill of personal and family sources (kinfolk, neighbors, bridge partners, the milkman, the corner druggist) had produced 44% of the total fee income. Club contacts accounted for 36%, persons I had known in my former business 8%, and all other sources 12%.

In 1928 I was still active in the service club (not so in my lodge) and with the wife had joined a church in whose Sunday School our children were enrolled. That year I got started with my boys in Scouting. This is the fee-source picture:

1928

Contacts in former business	44.5%
Club contacts	16.5
My office associate (in another line allied with the law)	16.5
Personal and family sources	12.0
Friend "A"	6.5
School and college friends dating from 1902 to 1910	2.0
All other sources	2.0
Total	100.%

My service club membership gave me in 1928 a fine professional friend, a lawyer in another city to whom I have forwarded business ever since and for whom I have been local correspondent.

Year 1929 was excellent; (for whom was it not?)—more than twice as good as the year preceding. In the autumn I moved to another office in the same building, sharing better quarters with a young lawyer five years in practice. I was still engaged in outside activities as before, four nights out of the week. Here is the 1929 tabulation:

1929

Former business contacts	34.4%
Bank contacts	23.6
Club contacts	12.5
Personal and family sources	10.4
School and college friends	9.1
Office associate of 1927-29	5.2
Friend "A"	2.7
All other sources	2.1
Total	100.%

The year following was about the same as 1929; but some percentages changed decidedly. I became a Board member of a home for boys, wards of the Juvenile Court, and continued former activities.

In this year I settled an estate for a fraternity brother whom I hadn't seen in twenty years. That put "school and college" in first place, and made to live again the bond of undergraduate days.

1930

School and college contacts	31.4%
Former business sources	23.4
Club contacts	22.6
Personal and family sources	11.0
Bank contact	5.5
Office associate of 1927-29	3.9
All other sources	2.2
Total	100.%

Both in 1931 and 1932 showed a drop of about 25% in gross receipts, as compared with 1930, and further shifting of components. In January, 1931, I resigned from the service club; and one can readily see what had happened to "club contacts" which in 1930 rated 22.6% of the total. In 1932 I was active in behalf of a Congressional candidate in my district:

	1931	1932
Referred by clients	19.5%	23.0%
Former business contacts	18.2	24.0
Bank contacts	16.4	9.0
Personal and family sources	11.5	19.0
Church contacts	11.5	7.0
Friend "A"	9.5	8.0
Club contacts	6.6	5.0
School and college friends	3.9	0.5
Office associate of 1927-29	2.9	4.0
Total	100.%	100.%

Client Producers

From my litigious experience during the first five years it would appear that client-producing goodwill, like gold, is where you find it. A colored bootblack who had shined my shoes since my first occupancy of the building brought me a will contest and sent me a small estate to be probated. From this business I derived $250 in fees.

Friend A, a doctor, won a classification by himself. Until his death last autumn he was sending in someone every few weeks. My figures indicate that clients originally referred by him, and their friends, paid me in the first five years more than $3500. Another client-producer rating headlines was a branch bank manager with whom I had an account during my former business career. He is still with the same bank, and has been transferred three times; but from each post he has sent me clients, customers of the bank, who asked him for the name of a lawyer.

My church contacts, which produced 11½% of the gross in 1931, commenced with a faux pas. I was ushering one Easter morning and the pews were at the moment nearly filled. The service had begun when Mr. K—, the church clerk, and his wife appeared in the aisle, and at a pause for late comers I showed them rather hurriedly to the only vacant place, in a pew well forward. Mr. K— was furious; he sought me out later and declared, with cold heat (if you follow me), that I had paraded them down there so everybody would know they were late. Finally convinced of my innocent intention only to seat them, he afterward called at my office to apologize. In the two years following Mr. K— sent me a dozen clients, not members of the church, who paid me satisfactory fees for important work.

One morning about 6 o'clock the city jailer 'phoned that a Mr. Mc.—, then in custody, had asked for me, and post haste, at that. The name was unfamiliar, but I went. To my inquiry "Who referred you to me?" he replied that he had picked my name at random from the telephone directory. "Not a bit complimentary" thought I; but he needed help, and I was able to give it. Mc.—'s was rubber-check trouble.

The corner druggist, my tooth-paste-and-razor-blade friend of 25 years, sent a distraught couple who had asked him to recommend a lawyer. They must have been sold on that slogan "Try the Drug Store First"; and friend apothecary made good by producing my home address, two blocks distant. The young wife had been arrested for hit and run driving. We went to trial; and after two days before a jury the district attorney moved for dismissal. We had rebutted completely his theory of flight from the scene of the accident. My drug store-goodwill clients cheerfully paid me $200 in small amounts.

Since 1932 more than half my business has come through former clients, the remainder largely from personal and family sources. I have thought being a "joiner" was the answer to the lawyer's problem of ethical contacts. But for me it won't work—cold-blooded joining in search of law business.

Frightful Toll of Traffic Accidents. Increasing Number of Deaths and Injuries with Resulting Economic Loss

By Charles Newell Carns, Judge of the Municipal Court of Los Angeles

This is a continuation and completion of the interesting discussion of traffic accidents, the attitude of the public, the police and the courts to the problem. Judge Carns has had long experience in the department that hears "traffic cases," and his comments and suggestions with relation thereto will be read with great interest.

A GREAT many of the minor offenses which come before me are those in connection with the granting of licenses and the possession thereof; and mechanical defects in automobiles, like headlights, brakes, windshields, etc. These matters to my way of thinking are very vital because they go to the first essentials of everything in motordom. A proper license is necessary; therefore, it is of first importance; a good mechanical automobile is necessary; therefore, it is of first importance.

The thing I am desiring to do in my court is to see that every person has a good and valid license, and, further, to see that every person is driving an auto which is in as good condition as the circumstances of the driver and the age of the auto will warrant. Therefore, if a person gets a ticket under our code for not having a valid license in his possession at the time of arrest by reason of its expiration, instead of assessing a small penalty, I shall continue the matter for a few days, to allow that person to again apply for a license, and thus put him-

self in good grace by having a valid license. Upon presentation of the license to me, I shall suspend a penalty. The same procedure is followed in connection with bad lights, windshields, brakes and other mechanical defects; if the person produces for my inspection a receipt for these things, I suspend the sentence, or grant a time for it to be done if the defect has not as yet been remedied. I do this on the theory that I would rather the person have a good license and a good automobile, than to assess a fine for the remissness, and then have the man leave my court room feeling that as he has paid the court the fine, he has no money to get his license or put his auto in good shape. Therefore, I am in favor of a permanent registration system which will apply to all persons alike; that is, those persons who can pass a required test for driving. This test should be in detail—mental, physical and mechanical knowledge to drive a car. But it should be open to all, because all pay taxes for the perpetuation of our highways. In making a permanent license, a file could be used in a central headquarters wherein every activity of the motorist in the state could be corralled and used—fingerprints, photographs, violations and other data. Thus giving every person the right to a permanent license with or without re-examinations at frequent intervals and proper and efficient tests, we are in a position to pass a few laws with teeth in them, which would make the motorist realize the direct penalty for his act.

"Red Devils"

In this latter connection, I have suggested to the Motor Vehicle Department of the State of California the universal practice of granting to the constant offender a set of "red devils," to be exhibited by him for his offenses, and the granting to the good and constant driver a recognition for his driving, in the issuance to him of a "gold seal." In offering these matters, I have appealed to the "fear" in the bad driver, and to the "reward" in the good driver, which I feel will be effective. This plan is in the form of a bill to be presented to the Legislature of the State of California when it next meets in January, 1937. It has been presented to the City Council of Los Angeles, and has had the approval of that body. It is as follows:

The code defines a "constant offender" as one who has had more than three major traffic violation convictions; at the option of the Motor Vehicle Department, his license may be revoked or the department may call in his regular license, and issue to him a blood red license, the same in all respects as the one he had, except its color. With this blood red license card, he is handed two triangular red

luminous plates, four inches from base to apex, bearing the number of his operator's license. He must always have the card with him as usual, but now he must always have the two triangular "red devils" with him, and attach one to the front license plate and one to the rear license plate of the automobile he is driving, whether his own or another's; these plates are easily bolted on and can be removed easily. To have the red operator's license card and not the red plates exhibited on the machine being driven, warrants a citation and the penalty is a straight fifteen days minimum, with a sixty days maximum sentence and the revocation of the license. The bill provides for self maintenance of the project.

Gold Seal

As a counter-balance to this penalty for the constant offender, the bill provides for the award to the careful driver of a "gold seal"; it provides that if for a period of one year prior to the application therefor the records of the Motor Vehicle Department show that the applicant has had no violations for that year, this "gold seal", one-half inch in diameter, with a gummed back, will be issued to him. It will be stamped with the year of its issuance. The recipient will immediately paste the same on the reverse side of his driver's license, and the exhibition thereof will warrant that he is a good and careful driver, and will be evidence to the peace officers, insurance carriers and merchants that the man possessing the same is a good risk and would warrant consideration.

Thus, in the idea of the "red devil" an appeal would be made to the "fear" in the one so possessing it. He would be a marked man on the highways of the nation; his actions would be scrutinized by officers and laymen alike; he would be subject to ridicule and scorn in his own neighborhood, and his own neighbors and friends would be the constant policemen to watch his actions. Through chagrin or fear, he would absent himself from the highways. And this is the very thing which all the safety associations and those thoughtful citizens are desiring to accomplish—free the highways of the constant menace.

Should this constant offender desire not to mar his automobile with the "red devils," the very simple process of allowing his wife to drive his car could be resorted to. The wife may be a better driver, and the highways would be open to her. She, not being a constant offender, would not have the "red devils" on the car. So, if this constant offender absented himself from the highways, we would accomplish the purpose intended. But in addition to this, by thus absenting himself from the highways, he naturally would not get any traffic citations, and, therefore, if his record was clear in the central headquarters from any violations for a period of one year, this man, who was a constant violator for the year of 1936 and had been assigned the "red devils," could in the period of one year change himself into one who would be entitled to a "gold seal," as indicated below. And this is as it should be, because if this constant offender has the will and the determination to stay off the highways, and relieve traffic toll, he has done a service to the motoring public, and is the type who has learned his lesson. For this he should be entitled to recognition, in being awarded the "gold seal."

By the same process of reasoning, if through "fear" we can rid the highways of the constant offender, so, we should "reward" the careful and constantly observant driver, by giving him chevrons for his faithful service. I am in receipt of thousands of letters asking the question, "What are you doing about the good driver? I have been driving for ten or fifteen years and have never received a citation. I should be rewarded." In answer to this, therefore, and as an additional incentive to make the good driver the policeman for the bad driver, the "gold seal" idea would be the reward. Thus, for a number of years a good driver may accumulate a number of "gold seals," and the exhibition of such a card to an officer, to a merchant, or to an insurance company would have the stamp of merit upon it, and would be a useful and much prized document.

Everybody's Business

In my court I have inaugurated many new schemes having in mind the education of those who constantly come before me, for their benefit. For two full weeks, morning and afternoon session of the court, a picture with sound called "Everybody's Business" was displayed at the opening of each session. The Los Angeles Bar Association viewed the picture and gave its consent to the project. The picture was run immediately after the court gave a slight history of what was intended to be covered; the picture showed all the minor traffic violations. Some 5,000 persons—traffic violators—viewed the picture. Just what the ultimate results were, I have no way of determining; but this I did observe during the showing of the picture: From those persons who saw the picture I received less excuses than had ordinarily been given before and than have been given since the discontinuation of the showing of the picture. Whether these people saw their mistakes in the picture and let it go at that, or whether for some other reason they figured an excuse was futile, I do not know, but the fact is that I received less excuses than before.

I am convinced that with a certain class of our people, laws and jail sentences are not effective; that with a greater class of our people the psychology of "fear" and "reward," through some scheme as above outlined, would have its resultant effect upon the motoring public, if proper regulatory laws could be passed embodying such procedure. My experience in this field indicates that with all the seaching for remedies to cut down the toll in deaths, injury and economic losses, such a plan might have the merit for which all of us are looking, as both the "fear" and the "reward" has the appeal to the part of the make-up of the human being which might be the one phase of the situation which has been overlooked by our law-makers in the passing of such voluminous and wide-spread legislation in the several states.

The Missouri Offensive

*By Hon. Roy McKittrick, Attorney General of Missouri**

IN the last quarter of a century the unlawful practice of law by laymen has grown to such proportions that a state of unrest has developed in the mind of the public against lawyers. The practice of law by laymen and unethical lawyers is an unnecessary weight upon the profession. In fact, the unethical and unlawful practice of law was undermining the ethics and the business of the profession in Missouri to such extent that the lawyers recognized that unless drastic action was taken to protect the public and the profession, law would cease to be a profession and would become nothing more than a commercial enterprise—if not a racket.

The lawyers of Missouri are on the offensive in their determined effort to drive from the legal profession those who have no hesitancy or conscientious scruples against exploiting for personal gain, under the shadows of the law, the unsuspecting public.

* * *

We are relying upon the Supreme Court to exercise its inherent power to define the practice of law. We are relying upon the sound principle that the judiciary cannot be bound by any legislative definition of the practice of law.

The Supreme Court of Missouri in the Richards case, 63 S. W. (2d) 672, in an opinion handed down November 16, 1933, left no doubt as to the effect of the inherent power of the Court to define and regulate the practice of law. Richards, an attorney, accepted a retainer fee of $1000 from one Berg who was then being forcibly held by kidnappers for ransom, for services to be performed by Richards as a go-between for Berg and the kidnappers in securing Berg's release. Prior to such employment the kidnappers had secretly communicated with respondent and informed him that they would negotiate with him for Berg's release upon payment to him of said $1,000 and the payment of a note made payable to respondent for $50,000 which they had forced Berg to sign and had delivered to respondent for collection, agreeing with Richards that he might retain $10,000 thereof as additional compensation for his services as such go-between. **The Court held that it had inherent original jurisdiction to disbar attorneys, and that such inherent power carried with it the right to accomplish all objects naturally within its orbit not expressly negatived by the constitution; that the court's inherent power could not be frustrated or destroyed by legislative acts, and that any statutory grounds of disbarment were not exclusive.**

In Missouri there is, as I have said, an earnest determination to drive from Missouri every individual, association or corporation that is practicing law or doing a law business in violation of the statutes or the rules of the court. It seems to me to be unreasonable to assert that the courts do not have the power to protect those who have been found to be learned and worthy of admittance to the legal profession against all intruders and chislers. It would be absurd for a court to say that certain standards and qualifications of learning and morals must be affirmatively shown by an applicant before being admitted to the legal profession, and at the same time be powerless to prevent others not so qualified from engaging in the practice of law.

The power of a court is not limited to the court room, but covers the entire field of the law business. I think a court has the same power to tell a

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layman he cannot write a will as it has to tell him he cannot try a lawsuit for another, and the court should exercise its power to protect testators, widows and orphans and their rights and their property in the writing of wills the same as it does in protecting their rights and interests when involved in litigation. Acting upon that theory the Bar Committees of our state and the Attorney General's Department are endeavoring to aid the ethical lawyers and the courts to prohibit unlicensed persons, natural or artificial from practicing law and to prevent them from taking fees that should be paid to lawyers, and also protecting the public from the ignorance and the trickery and abuse practiced by those that have no legal nor moral right to practice law. But strange as it may seem, the officers of the court are meeting strong and bitter but futile opposition, not only from the laymen but in some instances from lawyers.

In Missouri the unlawful practice of law had become so notorious that it was common practice for insurance companies to place lay adjusters in charge of Workmen's Compensation cases. When millions were being spent in our state to build our largest hydro-electric dam, lay adjusters paid too much, denied liability with no defense available and wasted much for the insurance companies carrying the compensation liability. Much of the loss by compensation insurers in Missouri in the last several years is directly attributable to the practice of lay adjusters employed by the insurance companies. Lay adjusters are no longer permitted to try cases before the Workmen's Compensation Commission of Missouri.

An investigation of the Missouri Public Service Commission revealed more than one hundred cases where laymen were acting as attorneys, participating in the trial and hearings of applications for certificates of convenience and necessity;

they interviewed witnesses, passed upon the value and admissibility of the evidence, examined and cross-examined witnesses and objected to the introduction of testimony. Their clients paid for something they could not give intelligently or fairly. Lawyers were being deprived of the business. There was no law, no rule, no ethics, no limitations whatever binding upon the action of these laymen. The lawyer on the other side of the table sitting in front of the cannon of ethics was bound by his professional honor and oath to try the matter before the Commission in an honest endeavor to place before the Commission the true facts and the law applicable. The layman could resort to sharp practices, could follow any practice that did not cross the line of crime to gain a favorable decision, but the lawyer could not rove in such a realm. It was unfair competition for the lawyer, an imposition upon the Commission and an injustice to the client.

To end such practices, to protect lawyers, to protect clients and the public, contempt charges were filed directly in the Supreme Court of Missouri against three of the laymen practicing before the Public Service Commission. I desire to invite your attention to the gist of the answers of these laymen for the purpose of showing what appears to be a general belief that the practice of law is one of the natural rights of the lay public. It was alleged by one respondent that no consideration was received except a monthly salary paid by a railroad company to him as an employee in the capacity of assistant general freight agent. It was also alleged that ever since the creation of the Public Service Commission the departments of various railroads have freely participated in hearings before that body, formally and informally. Therefore, the respondent in effect pleaded he had acquired the natural right to practice law before the Commission. These cases are now pending in the Supreme Court of our state.

Missouri is keeping pace with the fight on collection agencies engaged in the practice of law. An information in the nature of quo warranto against a well-known collection agency corporation has been filed in our Supreme Court (*State ex inf. McKittrick v. C. S. Dudley and Company*). In that case we are taking the position that the right to practice law is not a natural or constitutional right, but is a licensed personal privilege, a privilege denied corporations; that the collection agency in holding itself out to receive claims for collection by the use of associate attorneys, and its practices in threatening debtors with suit, in engaging attorneys and in splitting fees with attorneys constitute the practice of law.

The issue is directly raised as to the right of a collection agency to act as intermediary between the creditor-client and the attorney. The defense of the collection agency was that it possessed the right to act as agent for the creditor-client in the selection of an attorney to institute suit on the claim. When one analyzes the business of a collection agency, it is apparent that it is organized to handle legal business for others, to make collections for the creditors, to advise creditors whether the accounts are collectible by court proceeding, to pass upon the legal sufficiency of the account, the liability of the debtor, and the applicability of the statute of limitations. It is conceded that the agency cannot go into the court room, cannot sign pleadings. If a collecting agency cannot go into the court room, then it should not be permitted to threaten to do so. They should not be permitted to collect a debt for another for a fee based upon a false premise and a false threat.

We have also instituted in the Supreme Court of Missouri a quo warranto suit against the Corporation Trust Company of New Jersey. We allege that this Corporation advises corporations as to their secular rights, draws and prepares written instruments pertaining to the legal business of corporations, prepares articles of incorporation, certificates of incorporation, withdrawal notices of corporations, by-laws, tax reports, notice of corporation meetings, and many other written documents relating to corporations.

Community Chest Goal

THE Community Chest goal for the 1936-37 campaign will be $3,035,654. This goal was set after weeks of study by a budget committee of 15 representative men and women, aided by 28 men and women serving on sub-committees, announces Sam E. Gates, general campaign chairman.

In the regiments of volunteers being mobilized by the Community Chest under direction of Chairman Gates, and his vice-chairmen, Roy E. Naftzger, Howard J. Schoder and Earle W. Huntley, jurists and attorneys are "lined-up" with business executives, financial heads and educators for the coming appeal.

Judge Benjamin F. Bledsoe, Judge Robert H. Scott, Oscar Lawler, E. A. Meserve, Joseph Scott, Le Roy M. Edwards and John P. Crutcher, have accepted appointments to date.

The public employees division in the campaign is headed by James G. Warren, with Judge Robert H. Scott as vice-chairman. This division includes Federal, State, County and City employees.

Others of the campaign chairmen personnel include Paul Yost, establishments; W. A. Holt, trade groups; R. B. Kirchhoffer, business districts; Norman McKee, national firms; James R. Page, advance gifts; Ben Odell, Hollywood; and Superintendent Frank A. Bouelle, public schools.

"Forgotten—Unless You Remember" is the slogan adopted for the Chest appeal, which has a particular reference to the more than 200,000 children and tens of thousands of adults that will require service from the 91 agencies.

The Chest campaign headquarters are at 428 South Spring street. The telephone is TRinity 2941.

"Judges' Night" at Junior Entertainment

What was perhaps the most oustanding event in the activities of the local junior group the past year was the first annual Judges' Night staged by the Junior Barristers of the Los Angeles Bar Association in the University Club.

With a brilliant array of judges, headed by the entire state supreme court, as their guests, the younger barristers filled the large club dining room to overflowing and were accorded hearty commendation and praise from scores of leaders of bench and bar on the success of the event.

With Ned Marr presiding as chairman and toastmaster, the judicial guests were given appropriate individual introductions by the presiding judges of their respective tribunals. Members of the following courts attended: State Supreme Court, United States District Court, Los Angeles Superior Court, the local District Court of Appeal, the Municipal Courts of Los Angeles and Long Beach.

Dr. Robert Millikan, of the California Institute of Technology, gave an address entitled "A Scientist Looks at World Affairs."

Much credit for the successful gathering is due to the committee headed by Charles Crail, Jr., that had charge of the arrangements.

Action of Board of Trustees

PROPOSITION NO. 23 ON NOVEMBER BALLOT: Mr. Warren E. Libby, in a communication, advised the Board that a very grave mistake was made in Sacramento at the last session of the Legislature in framing the proposed constitutional amendment which will appear upon the November 1936 ballot as "Proposition No. 23." The proposed amendment was approved by the Legislature with the understanding that it would merely change the name of the Railroad Commission to the Public Service Commission. Mr. Libby informed the Board that, through inadvertance in framing the amendment, some of the most important parts of the constitutional provision which created the Commission will be repealed if the amendment is approved at the November 3 election and that the authors of the amendment, together with others, now urge the defeat of the measure. The Board disapproved Proposition No. 23, and Mr. Libby was so advised.

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INSTRUCTIONS TO CONSTITUTIONAL RIGHTS COMMITTEE: Chairman Roy V. Reppy of Committee on Constitutional Rights, in a letter to the Board stated that the Committee believes it should not recommend intervention by the Association in any single instance of violation of constitutional rights; that it should not urge any action by the Association unless the number of instances were so great as to indicate such a wide-spread practice of violation of constitutional rights by police officers as would challenge the attention of the community. The letter presented a specific instance of alleged violation of constitutional rights which was presented to the Committee by affidavit, alleging brutality on the part of police officers of Bell, California.

The Board voted that it does not approve that portion of the Committee's letter which suggests that intervention should not be made in single instances, but that the question of intervention in each instance should be determined by the merits of the case, and that it is only by investigation of individual instances that violation of constitutional rights may be curbed.

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PROBATE LAW AND PROCEDURE. Trustees Smith, Hahn and Freston were appointed a sub-committee of the Board to consider and make recommendations on the report of the Committee on Probate Law and Procedure.

CONSTITUTIONAL AMENDMENT TO CREATE COURT OF CRIMINAL APPEALS. There will be submitted at the November election, a proposed constitutional amendment for the creation of a Court of Criminal Appeals to be entirely independent of the Supreme Court of the State of California. The Board adopted the following resolution with respect thereto:

"Whereas, the Board of Trustees of Los Angeles Bar Association has given careful consideration to the proposed amendment and is opposed to said amendment for reasons set forth in the report of the State Bar Committee on Administration of Justice to the Board of Governors of the State Bar of California, under date of June 16, 1936, and is opposed to said amendment for other reasons,

Now, Therefore, Be It Resolved, that the Board of Trustees of Los Angeles Bar Association is opposed to the creation of a Court of Criminal Appeals in the form appearing in the proposed constitutional amendment to be voted on at the next general election."

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BOARD ADOPTS RESOLUTION OF 1936 STATE BAR COMMITTEE ON STANDARDS OF ADMISSION. Upon motion duly made and seconded, the following resolution was duly adopted:

"Whereas, the best interests of the public demand that no person be admitted to the Bar of California who is not possessed of adequate educational qualifications; and

Whereas, the best interests of persons preparing for admission to the bar demand that they be protected from exploitation by those who seek to induce them to spend their time and their money in securing wholly inadequate educational training; and

Whereas, at the present time there are no substantial means, other than the bar examinations conducted after the applicants have completed their educational training of preventing the admission of applicants who do not possess adequate educational qualifications; and

Whereas, at the present time persons who are preparing for admission to the bar are wholly unprotected from such exploitation by those who would profit through the sale of inadequate legal training; and

Whereas, the best interests both of the public and of the persons who desire to prepare for admission to the bar require that adequate educational standards governing such educational training be adopted and enforced;

Now, Therefore, It Is Hereby Resolved:

First, that general educational standards for admission to the bar should require of all applicants that before beginning the study of law they shall have completed at least two years of college work acceptable to the University of California for admission to its junior year, or the equivalent thereof, which equivalent shall be determined by the University of California;

Second, that legal educational standards for admission to the bar should require of all applicants, not only that they pass a final and comprehensive bar examination, but also either

(1) That they be graduates of such law schools as may be approved by the American Bar Association, or of such other law schools as may be approved by the Committee of Bar Examiners, or

(2) If they study law outside of such approved law schools, that they study law diligently and in good faith for at least four years, that they register with the Committee of Bar Examiners before beginning such study of law, and that they be required to take and pass examinations from time to time during such study, which examinations shall be conducted by the Committee of Bar Examiners or under its supervision or direction;

Third, that the operation of such standards be subject to such rules and regulations as may be reasonable and proper for the purpose of making the same effective, and for the purpose of eliminating any undue hardship to persons who in good faith began the study of law before the effective date of such standards;

Fourth, that the Board of Governors be requested to conduct a plebiscite of the members of The State Bar upon the adoption of such educational standards, and that, if the adoption of such standards is approved by a majority of the members of The State Bar voting in said plebiscite, the Board of Governors be requested to cause appropriate

legislation to be drafted for the purpose of providing for the adoption of such standards, and that the California Legislature be urged to pass such legislation at its next session."

All members of the Board present voted "Yes" with the exception of Mr. Rex Hardy, who voted "No."

Mr. Hardy requested that his vote be recorded.

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DISMISSAL OF ACTIONS AND ENTRY OF NONSUIT. In April, 1936, the Board requested the Committee on Pleading and Practice to consider whether it is advisable to propose an amendment to Section 581 Code of Civil Procedure to eliminate abuses which have heretofore been prevalent in the reliance upon the Section as it now stands. On July 28, 1936, the Committee addressed a communication to President Lyman together with a proposed amendment drawn for the purpose of eliminating the abuses referred to. The Board voted that the recommendation of the Committee be approved and adopted, and that the proposed amendment be forwarded to the Committee on Legislation with instructions to take such steps to cause it to be presented to the forthcoming session of the Legislature with a view to securing its enactment into law.

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PLEBISCITE ON JUDICIAL CAMPAIGNS. Mr. Richard C. Goodspeed addressed a communication to the Association's Judicial Candidates and Campaigns Committee, which suggested that the Committee discontinue conducting campaigns in behalf of endorsed candidates. This letter was referred to the Board with the request that the Board advise the Committee.

The Board instructed the Executive Secretary to advise the Committee that it is the view of the Board the Association is bound by the by-laws, adopted by the members, concerning the taking of the plebiscite and which imposes upon the Committee on Judicial Candidates and Campaigns the duty of conducting a campaign in behalf of endorsed candidates.

Unauthorized Practice News

NEBRASKA: The activities that are engaged in and not the fact that a person does or does not ask for or receive a fee for his services determines whether he has been engaged in the illegal practice of law. This is one of the points emphasized in a comprehensive opinion handed down on June 19, 1936, by the Supreme Court of Nebraska in the case of *State ex rel. Wright, Attorney-General, v. Barlow.* The case was instituted by an original action in the Supreme Court on the relation of the Attorney-General against the defendant, a county judge. The information alleged in each of ten counts that the defendant had practiced law without being licensed to do so, and that such practice constituted contempt of the Supreme Court. Barlow demurred to the entire information and each count thereof, so the court is called upon to decide whether the facts alleged in each of the counts are sufficient to constitute the practice of law. As to five of the counts the court states that it is tacitly conceded by the defendant (and the court is satisfied) that they do sufficiently charge the practice of law without a license.

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COLORADO: "'Practicing law,' forbidden to persons not thereto duly licensed, is not limited to practice before the courts. Corporations shall not practice law. The practice of drafting wills, living trust indentures, and life insurance trust agreements is the practice of law and counsel for executors and trustees named therein may not act as counsel for their testators or creators."

The above rule, to become effective September 1, 1936, was announced by the Supreme court of Colorado on June 29, 1936, in the case *On Relation of the Committee of Grievances of the Colorado Bar Association v. The Denver Clearing House Banks, et al.* This opinion gave the force of law to certain features of a "Statement of Principles and Canons of Conduct between the Denver Bar Association and the Trust Departments of the Denver Clearing House Banks." In most respects this "Statement of Principles" is similar to the understanding reached by the State Bar of California and the California Bankers Association (see Unauthorized Practice News for July, 1935, at page 1).

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NEW YORK: In its twenty-second annual report the Committee on Unlawful Practice of the Law of the New York County Lawyers' Association emphasizes the stand it has taken against legislation deemed to be undesirable. In addition the report summarizes the handling of forty-six complaints during the past year.

The committee reported its work in opposing the Collection Agency Licensing Bill as follows:

"The Committee on State Legislation prepared a printed report disapproving the measure which was transmitted throughout the state and to all members of the Legislature. The Committee on Unlawful Practice of the Law, through its Chairman, was in continuous communication with representatives of the various bar associations throughout the state and with members of the Legislature. This matter required practically continuous attention from January right down to the date of the making of this report."

Extracts from a Lawyer's Note-Book

On Lawyers.

Of blessed memory is the lawyer who has ever walked uprightly among men and who, though poor in material wealth, is rich in the esteem of the community wherin he has labored. * * *

On Fees.

Be not solicitous to exact the maximum fee. Seek rather to retain the good will of all clients. Ask no greater fee than you would yourself in like circumstances be willing to pay. Thus you will guard against exorbitant exactions which may swell the purse but rob the character. * * *

On Public Service.

Bear ever in mind that in public office you are the servant of the people. Beware of entangling alliances with selfish interests. Preserve your integrity and independence at all costs. If these cannot be otherwise preserved be reconciled to return to private life. * * *

On Judges.

No man should presume to sit in judgment upon the rights of his fellow-men until he has attained that state of maturity when the knowledge of youth has ripened into the wisdom of age and experience. Nor should any man actively seek judicial office lest in the seeking he incur obligations which may interfere with the proper discharge of his judicial duties.

On Changes in the Law.

It is unwise to presume that there can be no betterment in existing law. It is equally unwise to presume that new rules will necessarily be more effective than those which they supplant. In bringing about changes due regard must be had for the necessity and the wisdom of what is proposed. * * *

—Anonymous.